

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	NDGA Case No. 1:11-MJ-1664-AJB
vs.)	EDTN Mag. No. 1:12-MJ-217
)	
JOSEPH RICHARDS)	JUDGE CARTER

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on July 2, 2012, and November 9, 2011, in accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure for an initial appearance of the defendant on a Violation Report and Petition Requesting Warrant (Petition) out of the Northern District of Georgia. Those present for the hearing included:

- (1) AUSA Terra Bay for the USA.
- (2) The defendant, JOSEPH RICHARDS.
- (3) Attorney Gianna Maio for defendant.
- (4) Deputy Clerk Kelli Jones.

At both hearings, after being sworn in due form of law, the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualified for the appointment of an attorney to represent him at government expense. Federal Defender Services of Eastern Tennessee, Inc. was APPOINTED to represent the defendant. It was ascertained defendant had been provided with a copy of the Petition and had the opportunity of reviewing those documents with his attorney. It was determined the defendant was capable of being able to read and understand the copy of the aforesaid documents he had been provided.

AUSA Bay moved defendant be detained without bail pending a hearing in the Northern District of Georgia.

Findings

- (1) The defendant waived his Rule 5 identity hearing. The defendant asked to have a hearing on the Petition in the Northern District of Georgia.

Conclusion

It is ORDERED:

(1) Defendant shall be DETAINED WITHOUT BAIL pending his transfer to the Northern District of Georgia.

(2) The U.S. Marshal shall transport defendant to the Northern District of Georgia at Atlanta for a hearing on a date to be determined once defendant is in said district.

ENTER.

S / *William B. Mitchell Carter*

UNITED STATES MAGISTRATE JUDGE